

MAR 8 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAMES N. HATTEN, Clerk

Deputy Clerk

AVERY LAMAR MILLER, : PRISONER CIVIL RIGHTS
Plaintiff, : 42 U.S.C. § 1983
v. :
R. L. CONWAY, Sheriff, et al., : CIVIL ACTION NO.
Defendants. : 1:08-CV-2271-TWT

ORDER and OPINION

This matter is before the Court on Plaintiff's motion seeking a discovery period. (Doc. No. 56.) By Order entered on November 9, 2009, this Court allowed Plaintiff to proceed on one claim. (Doc. No. 36 at 7.) This Court noted that prisoner civil-rights cases are automatically assigned to a zero-month discovery track and stated that a party desiring discovery should request a discovery period (*id.* at 10), which Plaintiff has now done. (Doc. No. 56.) For good cause shown, Plaintiff's motion shall be granted.

IT IS ORDERED that Plaintiff's motion for discovery (Doc. No. 56) is **GRANTED**, and this case shall proceed on a four-month discovery track, commencing, nunc pro tunc, on February 11, 2010.¹ See LR 26.2, NDGa.

¹ Defendants answered on January 12, 2010 (Doc. Nos. 51, 52), and on March 2, 2010, certified service of their responses to Plaintiff's discovery requests, which

IT IS SO ORDERED this 8 day of March, 2010.

Thomas W. Thrash
THOMAS W. THRASH, JR.
UNITED STATES DISTRICT JUDGE